Dockets Management System
US Department of Transportation
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We would like to offer our comments on the ANPR to harmonize DOT requirements with IAEA ST-1.

AEA Technology QSA ships radioactive material packages throughout the world, this includes daily shipments of excepted packages, Type A and Type B(U) shipments. These shipments are in excess of 5000 a year. In addition to our shipments, our customer base which includes industrial radiographers and oil well loggers also perform thousands of shipments a year and approximately 500 shipments take place every day. As a result any changes to the existing regulations will have a significant impact on our operations and on the industry as a whole.

Nuclide specific thresholds

We agree with the A1 and A2 values and nuclide specific thresholds.

Communication Changes

The changing of the UN numbers and detailed shipping names will require that all shipments be relabeled. As the majority of labels are metal and pop riveted directly on to the container, this will require major work to replace existing labels with no net safety benefit. We request that existing packages be grandfathered and labels replaced when routine service is performed.

In addition the proper shipping name is preprinted on shipping paperwork for many shippers, we request a grandfathering and/or a transition period to update the paperwork to reflect the new names.

In the proper shipping name the Type A and Type B(U) is contained within the proper shipping name, would this still require the addition of the words Type A or Type B in letters ½ inch tall as currently required by DoT regulations.

Radiation Protection Program

The establishment of a Radiation Protection Program for carriers will be a difficult one to implement and unless there is some additional guidance on this program, DOT should not implement from ST-1. If it is required then the program should be based on total TI handled in a year including an exemption for total TI under 200 in a year to cover the small carriers.

The discussion of the Radiation Protection Program in the DOT regulations should have a clear definition of transport radiation worker and a facility radiation worker. Fixed facility radiation workers typically are working under a very detailed radiation safety program including training. Transport workers have much less radiation risks in handling properly prepared and certified packages and therefore would need a much less complicated or detailed Radiation Protection Program.

Placarding

ST-1 requires the use of radioactive placards for all radioactive material shipments of White I, Yellow II and Yellow III. DoT currently only requires placarding of the vehicle if carrying a Yellow III. We request that with the adoption of ST-1, DoT retains the placarding only for Yellow III shipments. If DoT required the placarding as described in ST-1, then all shipments of radioactive material would fall under the extremely onerous requirements of the Federal Motor Carrier Regulations. This would require doctors, well loggers, radiographers and other licensees to fall under these requirements severely restricting travel as many bridges, tunnels and some highways do not allow for the movement of placarded vehicles.

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The lower level of 0.05 for a White I, how is this expected to be detected ? Current routine radiation survey instrumentation used in the preparation of shipments typically can not read to this level.

Low Dispersable Material

The addition of this definition will be helpful for specific applications and should be adopted by DoT.

Transition

The transitioning of *Certification of Packages*: DOT needs to establish as soon as possible regulatory criteria for certification of packages to "–96" standards prior to the adoption of ST-1. The industry has been aware of the coming change and is preparing certification requests on the assumption that ST-1 will be adopted. Without DOT regulations that reflect ST-1 requirements, industry will not be able to seek "-96" certificates. To avoid resubmitting requests to upgrade from a "-85" to a "-96" certification, DOT needs to complete regulation changes in this area before July 2002.

Transitional Implementation Period: DOT should provide a transition period prior to the full adoption by the U.S.A. of ST-1 in July 2002 that would provide shippers and carriers the flexibility to make shipments of radioactive materials under the current 49 CFR DOT regulations (equivalent to Safety Series 6) or under ST-1. For example, shippers could elect to use the 49 CFR 173.435 A_1/A_2 values or the equivalent values specified in ST-1 ¶401 (Table 1) so long as the shipping documentation clearly specified which values were being used.

For international shipments the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) currently propose to implement ST-1 by July 2001. The DOT must provide clear guidance for procurement of U.S. Competent Authority Certificates pursuant to 49 CFR 173.471-473 for air shipment of fissile material prior to the formal adoption of ST-1 in July 2002.

For domestic shipments, DOT should provide a one-year transition period for complete implementation of the ST-1 regulations. Larger U.S. companies that routinely transport internationally are already moving towards the requirements of ST-1, but smaller companies that only ship domestically have had neither the time nor resources to begin converting to ST-1. Such smaller companies will need time after the ST-1 effective date to, for example, incorporate ST-1 requirements into company procedures, train workers, design, test and obtain approval for new packages designed to ST-1 requirements, implement name and shipping documentation and determine the consistency of existing package fleets with ST-1 requirements. Therefore, a one-year transition period for domestic shipments is needed.

Package Grandfathering: ST-1 provides transitional arrangements (¶815-818) for the continued use of many existing packages and for the phasing out of the manufacture of packages approved against requirements from prior versions of Safety Series 6. These transitional arrangements are important to allow for the development, testing and approval of new package designs and for continued use of existing packages until the end of their useful design lives. Regulations need to be clear on how DOT will address this issue and whether DOT will continue to revalidate certificates for packages following expiration of their manufacturing phase out period.

Thank you for the opportunity to comment. If you have any questions please contact me.

Sincerely,

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